

OPINION 1710

J.C. Megerle's (1801–1805) auction catalogues of insects: suppressed for nomenclatural purposes, with the specific names of *Saperda alboguttata* Megerle, 1803 (currently *Apomecyna alboguttata*; Coleoptera) and *Hippobosca variegata* Megerle, 1803 (Diptera) conserved

Ruling

- (1) Under the plenary powers:
 - (a) the works entitled *Catalogus insectorum . . . , Appendix ad catalogum insectorum . . .* and *Catalogus duarum collectionem Eleuteratorum . . .* published by Megerle (1801–1805) are hereby suppressed for nomenclatural purposes;
 - (b) the following specific names are hereby ruled to be available despite having been published in a suppressed work:
 - (i) *alboguttata* Megerle, 1803, as published in the binomen *Saperda alboguttata*;
 - (ii) *variegata* Megerle, 1803, as published in the binomen *Hippobosca variegata*.
- (2) The following names are hereby placed on the Official List of Specific Names in Zoology:
 - (a) *alboguttata* Megerle, 1803, as published in the binomen *Saperda alboguttata* and as conserved in (1)(b)(i) above;
 - (b) *variegata* Megerle, 1803, as published in the binomen *Hippobosca variegata* and as conserved in (1)(b)(ii) above.
- (3) The works entitled *Catalogus insectorum . . . , Appendix ad catalogum insectorum . . .* and *Catalogus duarum collectionem Eleuteratorum* published by Megerle (1801–1805) and suppressed in (1)(a) above are hereby placed on the Official Index of Rejected and Invalid Works in Zoology.

History of Case 2671

An application for catalogues by J.C. Megerle (1801–1805) to be ruled unavailable for nomenclatural purposes, together with the conservation of the specific names of *Saperda alboguttata* and *Hippobosca variegata*, both of Megerle (1803), was received from Dr I.M. Kerzhner (*Zoological Institute, Academy of Sciences, St Petersburg, Russia*) on 12 July 1988. After correspondence the case was published in BZN 48: 206–209 (September 1991). Notice of the case was sent to appropriate journals.

It was noted on the voting paper that the application had the support of Mr R.D. Pope (Coleoptera) and Dr R.W. Crosskey (Diptera) (both of *The Natural History Museum, London, U.K.*) and Dr Hans Silfverberg (*Universitetets Zoologiska Museum, Helsingfors, Finland*).

Decision of the Commission

On 1 September 1992 the members of the Commission were invited to vote on the proposals published in BZN 48: 208. At the close of the voting period on 1 December 1992 the votes were as follows:

Affirmative votes — 27: Bayer, Bock, Bouchet, Cocks, Cogger, Corliss, Dupuis, Hahn, Halvorsen, Holthuis, Kabata, Kraus, Lehtinen, Macpherson, Mahnert, Martins de Souza, Minelli, Nielsen, Nye, Ride, Savage, Schuster, Starobogatov, Štys, Trjapitzin, Uéno, Willink

Negative votes — 1: Thompson.

No vote was received from Heppell.

Bayer commented: 'I would oppose the suppression of any *bona fide* scientific work that may have had the misfortune to become rare, but I believe that a good case can be made for rejecting auction catalogues such as those of Megerle. Even though produced by conventional printing and doubtless issued in substantial numbers, their obvious purpose was to sell the items listed rather than 'to provide a permanent scientific record' (Article 8 of the Code). It seems likely that Megerle, even though he was a curator of the Wiener Hofmuseum, was more concerned with selling the catalogued items than with advancing scientific knowledge. It seems to me that this and other auction catalogues could very reasonably be rejected as unavailable on the grounds of not being intended for scientific record'.

Martins de Souza noted that S. Breuning (1960; *Catalogue des lamiaires du monde*, p. 131) gave *Apomecyna histrio* Fabricius, 1792 as a senior subjective synonym of *A. alboguttata* (Megerle, 1803).

Thompson commented as follows: 'Kerzhner requested the suppression of Megerle's catalogs as the acceptance of the names established therein "would greatly disturb the stability of nomenclature". Unfortunately, few data were provided to substantiate this claim. The two references cited in para. 7 (Schenkling, 1935; Horn, 1937) are articles about Megerle, the catalogs, and old auctions and did not address nomenclatural issues. No documentation is provided for the "no less than 20 currently used specific names" that "would be invalid as junior primary homonyms". Data are provided only for two generic names and in both of these cases the situation is not exactly as stated by Kerzhner (para. 7). For the beetle genus there needs only be a change in date (1803 instead of 1807) and spelling (*Doriphora* instead of *Doryphora*) as Megerle attributed the name to Illiger. As for *Centrotus*, Megerle attributed the name to Fabricius. On the problem of type species no details are provided. However, in the case of both these names, the Commission could easily correct the details without having to suppress the work as a whole.

Kerzhner proposed the conservation of two specific names from Megerle but argued (para. 9) that two other specific names that have been recently noted as valid should not be conserved as such action is not "substantiated by usage or to be appropriate". When has the principle of priority become inappropriate and been superseded by that of usage? Neither of these two names is widely used. Accepting *Pyrgota undata* from Megerle (as Wiedemann did himself) does not involve a change of a name in current use; the junior name *Xylota chalybea* Wiedemann has only been used a few times in the last 50 years so it cannot be argued that it is "substantiated by usage", even if usage was a principle that the Code endorsed!

The use of the names published in Megerle's catalogs may "greatly disturb the stability of nomenclature" in the future, but so far no evidence has been presented for

such instability. The Commission is asked to suppress publications containing many names because there appear to be problems with two generic names, but to conserve two specific names which are being used currently. The Commission should not suppress works simply because they *may* pose problems and, in the case of actual problems, it should deal with the names, not the works. The Commission suppressed Geoffroy's 1762 *Histoire abrégée des insectes* . . . but eventually has had to rule on each name in that work. If the Commission had dealt with the names instead of the work in the first place much effort would have been saved. So, the Commission should deal with only the Megerle names that pose real problems. So far there has been no evidence presented that *any* Megerle name presents a serious problem to stability of nomenclature'.

Editorial note. As noted in para. 2 of the application, only one original set of Megerle's catalogues is known to exist. In submitting the case Dr Kerzhner wrote: 'With current techniques for making copies these catalogues, which are extreme bibliographic rarities, may receive wide distribution. This represents a serious threat to stability of nomenclature. Proponents of strict priority may find the catalogues grounds for changing dozens of currently used names, although this would of course violate the Code. A recent publication seems to me a real forerunner of this situation; therefore I make haste to submit this proposal, which I have long had in mind'.

The comment from Dr R.W. Crosskey (*Department of Entomology, The Natural History Museum, London*), noted on the voting paper, said (in part): 'We in the Diptera Section are totally for the application. It is necessary to conserve Megerle authorship for *Hippobosca variegata*, a very well known Old World ectoparasite. The Commission should immediately support Kerzhner's proposal to head off any digging out of pointless old names from a "work" not intended to be mainstream science and about as obscure as they come'.

In his comment above Dr Thompson mentions that the rejection (not suppression) in 1954 by the Commission of Geoffroy's 1762 work in its entirety was unfortunate and that it would have saved much subsequent effort had the generic names therein been considered individually. There is, however, an essential difference between Geoffroy's volumes and the Megerle catalogues: 40 of the 59 new generic names in the former were and are used as valid (see BZN 48: 107), whereas the great majority of Megerle's many new names have never been used. Kerzhner (para. 7) remarked that 20 accepted specific names are junior primary homonyms of unused Megerle names and that others may well be junior synonyms of catalogue names; to review the latter category individually is not feasible, and to do so for the former would be without obvious benefit to stability of nomenclature.

The conservation of *Doryphora* and *Centrotus*, the two generic names mentioned in the application and in Dr Thompson's comment, was not Dr Kerzhner's primary purpose. Under '*Doriphora* Ill.' Megerle (1805, p. [8]; see para. 7 of the application) listed three nominal species, none of them being among the eight included in *Doryphora* Illiger, 1807. The type species of *Doryphora* is *Chrysomela punctatissima* Olivier, 1790 by the designation of Latreille (1810). The '*Centrotus* F.' of Megerle (1802b, p. [14]) would have *Membracis clavata* Fabricius, 1787 (now placed in *Cyphonia* Laporte, 1832) as the type by monotypy, whereas the type species of the

accepted *Centrotus* Fabricius, 1803 is *Cicada cornuta* Linnaeus, 1758 by the designation of Curtis (1830).

Original references

The following are the original references to the names placed on an Official List by the ruling given in the present Opinion:

alboguttata, Saperda, Megerle, [1803]. *Appendix ad catalogum insectorum, quae mense Novembris MDCCCII Viennae Austriae auctionis lege vendita fuere*, p. [10].

variegata, Hippobosca, Megerle, [1803]. *Appendix ad catalogum insectorum, quae mense Novembris MDCCCII Viennae Austriae auctionis lege vendita fuere*, p. [17].

The following are the original references to the works, all with the authorship [J.C. Megerle], placed on an Official Index by the ruling given in the present Opinion:

[1801]. *Catalogus insectorum, quae Viennae Austriae die XIV et sequentibus Decembris MDCCCII auctionis lege distrahantur*.

[1802a]. *Appendix ad catalogum insectorum, quae mense Decembris MDCCCII Viennae Austriae auctioni lege vendita fuere*.

[1802b]. *Catalogus insectorum, quae Viennae Austriae die IX et sequentibus Novembris MDCCCII auctionis lege distrahantur*.

[1803a]. *Appendix ad catalogum insectorum, quae mense Novembris MDCCCII Viennae Austriae auctionis lege vendita fuere*.

[1803b]. *Catalogus insectorum, quae Viennae Austriae die 28 Novembris 1803 auctionis lege distrahantur*.

[1804a]. *Appendix ad catalogum insectorum, quae mense Novembris MDCCCIII auctionis lege vendita fuere*.

[1804b]. *Catalogus duarum collectionem Eleuteratorum die XIV Maji MDCCCIV Viennae Austriae auctione lege vendendarum*.

[1804c]. *Catalogus insectorum, quae Viennae Austriae die XX et sequentibus Septembris MDCCCIV auctionis lege distrahantur*.

[1804d]. *Appendix ad catalogum insectorum, quae mense Septembris MDCCCIV Viennae Austriae auctionis lege vendita fuere*.

[1805a]. *Catalogus insectorum, quae Viennae Austriae die [day not indicated] Junii MDCCCIV auctionis lege distrahantur*.

[1805b]. *Appendix ad catalogum insectorum, quae mense Junii MDCCCIV Viennae Austriae auctionis lege vendita fuere*.